

Serial No. 10/518,309
Atty. Doc. No. 2002P03697WOUS

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REMARKS

Claims 16 and 34 have been amended, claims 21, 24, 33, 35, and 36 has been canceled, and new claims 37-42 have been added. Thus, claims 16-20, 22, 23, 25-27, 30, 32, 34, 37-42 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to objections to drawings:

The figures are objected to because the feature "coat of corrosion resistant material" referenced by claim 33 is not shown in the drawings. Applicant has canceled claim 33 thereby mooted this objection. Applicant respectfully requests that the Examiner withdraws the objection to the drawings.

Response to objected claim 36:

Claim 36 stands objected for failing to further limit the subject matter of a previous claim. Applicant has canceled claim 36 thereby and respectfully requests that the Examiner withdraws the objection to claim 36.

Response to rejections under Section 112:

Claim 34-36 stands rejected to under 35 U.S.C. 112, the Examiner contending that these claims fail to comply with the written description requirement. Claims 35 and 36 have been canceled. Claim 34 has been amended to recite that each tip is equally spaced from adjacent tips as noted by the Examiner. Applicant therefore respectfully requests that the Examiner withdraws the rejections under Section 112.

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Response to rejections under Section 102:

Claims 16-21, 25-27 stand rejected under 35 U.S.C. 102(b), the Examiner contending that these claims are anticipated by Gutter et al. (USPN 4,696,908).

Applicant has amended claim 16 to recite a plurality of rigid stops ... the stops prevent further penetration of the contact part into the cable when the stops contacts the cable during installation [see e.g., para. 0015]. In contrast, Gutter discloses stops [17] having a spring like action that flatten during installation [Gutter, column 4 lines 60-68]. Instead of stopping the penetration, Gutter's stops flatten after contact to maintain the position of the contacts after installation. Applicant's rigid stops prevent further penetration and cannot be considered as Gutter's flexible stops that do not prevent further penetration.

Furthermore, applicant has amended claim 16 to recite after installation, each contact element is arranged in a direction of impact that is oriented inwards in a substantially radial manner [see, e.g., Fig 5, para. 0012]. In contrast, Gutter discloses that during installation, the tips penetrate the cable such that pairs of the contact elements turn toward one another to secure the strap onto the cable [Gutter, column 4 lines 46-56]. Arranging the contact element inwards is not a mere design choice but prevents compromising the single cores of the cable when mechanical tensile forces act on the cable with a radial force component [see e.g., para 0012].

In view of the foregoing remarks, Applicant respectfully submits that independent claim 16 is in condition for allowance and request the allowance for independent claim 16. Dependent claims 17-20, 22, 23, 25-27, 30 and 32 are also patentable at least based on their dependency to independent claim 16 as well as based on their own merit.

Response to rejections under Section 103:

Claims 22-24 and 35 stand rejected under 35 U.S.C. 103(a), the Examiner contending that these claims are obvious in view of Gutter et al. (USPN 4,696,908). Claim 30 stands

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rejected under 35 U.S.C. 103(a), the Examiner contending that this claim is obvious in view of Gutter in view of Rumbach et al. (US 2003/0175550). Claims 32, 34 and 36 stand rejected under 35 U.S.C. 103(a), the Examiner contending that these claims are obvious in view of Gutter and admitted prior art. Claim 33 stands rejected under 35 U.S.C. 103(a), the Examiner contending that this claim is obvious in view of Gutter in view of Moyles et al. (US H000968).

Claims 24, 33, 35 and 36 have been canceled. For at least the reasons discussed in connection with the Section 102 rejections response, Applicant respectfully requests the withdrawal of the 103 rejections for claims 22, 23, 30, 32 and 35. Independent claim 34 is patentable for the reasons discussed below.

Applicant's amended claim 34 recites a rigid arc-shaped contact part ... formed as a cable clip [see e.g., FIG 3]. In contrast, Gutter discloses a flexible strap [10] that includes the contact part [16] and that requires a separate clamp [30] to secure the strap onto the cable [Gutter, column 4, lines 10-15]. After the strap has been secured, the clamp is removed [Gutter, column 4, lines 57-60]. Using an arc-shaped contact part formed as a cable clip is not merely a design choice. In fact, significant manufacturing and installation advantages occur when the contact part is formed as the cable clip. For example, the cable clip is made from a punched and shaped component and the teeth are bent radially inward requiring [See paragraph 16]. Thus only a single processes to manufacture the clip is needed, whereas Gutter would require an additional process since the clamp is a different device than the clip. Likewise, installation of the Gutter clip involves mores steps.

New claims 37-39:

New claims 37- 39, which depend on claim 34, further define the scope of the invention as described in the specification and drawings. In view of the foregoing remarks regarding the

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other claims, Applicant respectfully submits claims 37-39 as patentable and requests allowance of claim 37-39.

New claims 40-42:

New claims 40-42, further define the scope of the invention as described in the specification and drawings. In particular, claim 40 recites a clamp having a plurality arc-shaped contact parts. Claims 41 and 42 depend on independent claim 40. Applicant respectfully submits claims 40-42 as patentable and requests allowance of claim 40-42.

Conclusion

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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